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NOTICE OF ALLOWANCE AND ISSUE FEE DUE

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| APPLICATION NO. | FILING DATE | TOTAL CLAIMS | EXAMINER AND GROUP ART UNIT | DATE MAILED |
|---------------------------------|-------------|--------------|-----------------------------|---------------|
| 08/426,920 | 04/21/95 | 061 | HOM, S | 2603 09/05/96 |
| First Named Applicant MOURA, | | EDUARDO J. | | |

TITLE OF
INVENTION: ASYMMETRIC HYBRID ACCESS SYSTEM AND METHOD

| ATTY'S DOCKET NO. | CLASS-SUBCLASS | BATCH NO. | APPLN. TYPE | SMALL ENTITY | FEES DUE | DATE DUE |
|-------------------|----------------|-----------|-------------|--------------|----------|----------|
| 2 1572 | 370-095,200 | 299 | UTILITY | YES | \$625.00 | 12/05/96 |

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "6b" of Part B should be completed.

III. All communications regarding this application must give application number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



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|---------------|-------------|-----------------------|---------------------|
| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
| 08/426,920 | 04/21/95 | MOURA | E 1572 |

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|-----------|-----------------|
| 26M1/0905 | HOM, S EXAMINER |
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|----------|--------------|
| ART UNIT | PAPER NUMBER |
| 2603 | 2015 |

09/05/96

DATE MAILED:

NOTICE OF ALLOWABILITY

PART I.

- This communication is responsive to Amend of 8-5-96 + 8-16-96 + Letter of 8-16-96.
- All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- The allowed claims are 1-6, 15, 17, 19, 20, 24 - 24.
- The drawings filed on _____ are acceptable.
- Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has [] been received. [] not been received. [] been filed in parent application Serial No. _____, filed on _____.
- Note the attached Examiner's Amendment.
- Note the attached Examiner Interview Summary Record, PTOL-413.
- Note the attached Examiner's Statement of Reasons for Allowance.
- Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
 - Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. 5. CORRECTION IS REQUIRED.
 - The proposed drawing correction filed on 8-16-96 has been approved by the examiner. CORRECTION IS REQUIRED.
 - Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- Examiner's Amendment
- Examiner Interview Summary Record, PTOL-413
- Reasons for Allowance
- Notice of References Cited, PTO-892
- Information Disclosure Citation, PTO-1449
- Notice of Informal Application, PTO-152
- Notice re Patent Drawings, PTO-948
- Listing of Bonded Draftsmen
- Other

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1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Attorney Lawrence Harbin on 8-28-96.

2. The application has been amended as follows:

/ In claim 1, lines 25-26, delete "at least a single data processor" and insert ---said single data processor---. In claim 1, lines 18-19 delete "said upstream router including a Hybridware® server,".

In claim 5, line 3, delete "at least one of a" and "an" and insert ---said--- and ---said---, respectively.

In claim 15, lines 7-8, delete "said asymmetric network" and insert ---said wide area network---. In claim 15, line 12, delete "a downstream channel" and insert ---said downstream channel---.

In claim 17, lines 17-18 delete "a transmit queue" and insert ---a first transmit queue---, and in line 19 delete "a transmit queue" and insert ---a second transmit queue---. In claim 17, line 23, before "transmit queue" insert ---second---.

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In claims 17, 19, 20, and 24, lines 8-9 delete "said downstream channel" and insert ---the downstream channel---.

In claim 20, line 11, delete "sessions" and insert ---session---.

In claims 27-51, 57-58, 61-62, 66-67, and 72-73, line 1 delete "A" and insert ---The---.

In claim 20, line 26 delete "said first and second headers" and insert ---the first and second headers---.

In claim 52, line 28 delete typo "medim" and insert ---medium---. In claim 52, line 34 delete "a shared communication medium" and insert ---said shared medium---.

In claim 59, line 29 and claim 65, line 31 delete "media" and insert ---medium---.

In claim 65, lines 35-37 delete "a host server," "a plurality of remote clients," "a CATV network," and "a shared communication medium" and insert ---said host server---, ---said plurality of remote clients---, ---said CATV broadcast transmission facility---, and ---said shared medium---, respectively.

In claims 68 and 69, lines 9-11 delete "said host server" and insert ---the host server---.

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In claim 70, line 32 delete "a host server" and insert ---
said host server---. In claim 70, line 10 delete "high" and
insert ---high speed---.

In claim 71, line 24 delete typo "ata" and insert ---data---

In claim 71, line 14 delete "including".

3. Any inquiry concerning this communication or earlier
communications from the examiner should be directed to Shick Hom
whose telephone number is (703) 305-4742.

Any inquiry of a general nature or relating to the status of
this application should be directed to the Group receptionist
whose telephone number is (703) 305-4750.



DOUGLAS W. OLMS
IPERVISORY PATENT EXAMINER
ART UNIT 263

SH

August 30, 1996